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PATENT

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Art Unit:1645

Examiner:
Virginia Allen Portner

#7
Linda
7/29/03

Applicants: M. El-Sherbeini et al.
Serial No.: 09/701,229 Case No.:20193P
Filed: 8/23/2001
For: MURD PROTEIN AND GENE OF
PSEUDOMONAS AERUGINOSA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

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MARCO, INC.

40,407

July 18, 2003

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Office Action mailed June 18, 2003. No fee is believed to be due. However, the Commissioner is authorized to charge any required fees or credit overpayments to Deposit Account No. 13-2755. Applicant requests reconsideration and re-examination in view of the amendments and remarks presented herein.

REMARKS

The Examiner has requested restriction of Claims 1-14 into Groups I-V. Applicant provisionally elects to prosecute Group I, claims 1-7, with traverse.

The Examiner states that the invention lacks unity in light of prior art disclosing a natural MurD mutant of SEQ ID NO 2, produced by E.coli, etc., as cited in the International Search Report, October 21, 1999, and therefore the disclosed polynucleotide and polypeptide do not define a unifying special technical feature. (Action at page 2). Applicant respectfully traverses.

The Examiner's use of the terminology "natural MurD mutant" to state that a MurD gene from E. coli is a mutant of the MurD genes of Pseudomonas aeruginosa